



STATE OF CONNECTICUT  
JUDICIAL BRANCH

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Testimony of the Judicial Branch  
Judiciary Committee Public Hearing  
March 7, 2016

S.B. 363, An Act Concerning Revisions to Various Statutes Concerning  
the Criminal Justice System

Thank you for the opportunity to provide written testimony on behalf of the Judicial Branch regarding S.B. 363, *An Act Concerning Revisions to Various Statutes Concerning the Criminal Justice System*. The Judicial Branch has concerns with Section 5 of the bill.

We do not believe that the Court has the ability to impose sanctions or restrictions in cases where an individual has successfully completed a diversionary program and the case is subsequently dismissed or not prosecuted.

The language as proposed also seems to conflict with the erasure laws, which prohibit judges and court personnel from disclosing that an erased case exists. This would mean that the order would be from a "non-existent" case. How would the information related to the order be verified, as the Court would not be able to acknowledge the case from which it would be issued? How would the clerks process a motion to modify the order, as there would be no case in which to do so?

Finally, based upon the current document retention schedule for dismissed and nolle cases, the case files and records in the underlying case would be destroyed long before the expiration of the standing criminal protective order.

Thank you for your time and attention to this matter.